

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ganz  
For: AUTOMATED VERIFICATION AND INSPECTION DEVICE FOR  
SEQUENTIALLY INSPECTING MICROSCOPIC CRYSTALS  
Filed: herewith

Declaration in Support of Accompanying Petition to Make Special  
Reason XII - Special Status for Applications Relating to Biotechnology Filed by  
Applicants who are Small Entities

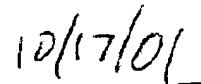
In support of the accompanying Petition to Make Special, Applicant declares as follows:

1. I am an applicant in the above-identified patent application and President of RoboDesign International, Inc [RoboDesign].
2. All applicants in the above-identified patent application are independent inventors as defined by 37 CFR 1.9(c) and are eligible for small entity status.
3. All applicants have assigned 100 percent of their right, title and interest in the above-identified invention to RoboDesign.
4. RoboDesign is a small entity.
5. The subject of the above-identified patent application is a major asset of RoboDesign in that RoboDesign is a small company with only a few products in Biotechnology and the present invention represents a major portion of RoboDesign's intellectual property.
6. The development of the technology will be significantly impaired if examination of the patent application is delayed since RoboDesign has limited funds for investing in research and development, but would invest if RoboDesign's intellectual property in the present invention is established. Also, an established position in intellectual property represented by the present invention would allow RoboDesign to better attract investors to bring the invention to a wider market.

I certify that all of the foregoing statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001), and may jeopardize the validity of the application or document or any registration resulting therefrom.



Brian L. Ganz  
President  
RoboDesign International, Inc.



Date

FROM : Ross Patent Law Office

FAX NO. : 858 755 3122

OCT 15 2001 05:20PM P3  
Page 1 of 4

Express Mail Label No.

Docket No.

## Declaration and Power of Attorney For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**AUTOMATED VERIFICATION AND INSPECTION DEVICE FOR SEQUENTIALLY INSPECTING  
MICROSCOPIC CRYSTALS**

the specification of which

(check one)

is attached hereto.

was filed on \_\_\_\_\_ as United States Application No. or PCT International

Application Number \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)	(Country)
(Number)	(Country)
(Number)	(Country)

(Day/Month/Year Filed)

(Day/Month/Year Filed)

(Day/Month/Year Filed)

15 2001 06:21PM P4

Page 2 of 4

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FROM :Ross Patent Law Office

FAX NO. :858 755 3122

OCT 15 2001 05:21PM P5

Page 3 of 4

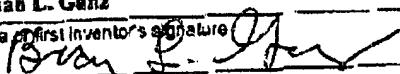
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

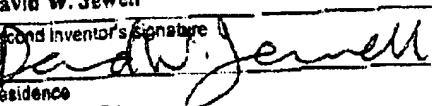
John R. Ross, III (regis. no. 43060)

John R. Ross (regis. no. 30530)

Send Correspondence to: John R. Ross, III  
 Ross Patent Law Office  
 P.O. Box 2138  
 Del Mar, CA 92014

Direct Telephone Calls to: (name and telephone number)  
 John R. Ross, III 858-755-3122 FAX: 858-755-3122

Full name of sole or first Inventor Brian L. Genz	Date 10/16/01
Sole or first Inventor's signature 	
Residence Carlsbad, CA	
Citizenship US	
Post Office Address 2853 Rancho Rio Chico, Carlsbad, CA 92009	

Full name of second inventor, if any David W. Jewell	Date 10/16/01
Second Inventor's signature 	
Residence San Diego, CA	
Citizenship United Kingdom	
Post Office Address 4019 Carmel View Rd. #156, San Diego, CA 92130	

FROM : Ross Patent Law Office

FAX NO. : 858 755 3122

15 2001 06:22PM P6

Page 4 of 4

Full name of third inventor, if any  
 Maedol W. Mielkey

10/16/01  
Date

Third inventor's signature

Residence

Oceanside, CA

Citizenship

US

Post Office Address

1433 Eastview Ct., Oceanside, CA 92056

Full name of fourth inventor, if any  
 John Andrew Moulds

10/16/01  
Date

Fourth inventor's signature

Residence

Encinitas, CA

Citizenship

US

Post Office Address

423 Jolita Way, Encinitas, CA 92024

Full name of fifth inventor, if any  
 Christopher T. Brovold

10/16/01  
Date

Fifth inventor's signature

Residence

Carlsbad, CA

Citizenship

US

Post Office Address

3350 Calle Odessa, Carlsbad, CA 92009

Full name of sixth inventor, if any  
 John A. Adams

Oct 16, 2001  
Date

Sixth inventor's signature

Residence

Escondido, CA

Citizenship

US

Post Office Address

9785 Running Creek Lane, Escondido, CA 92026